

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Civil Case No. 14-13435

Plaintiff,

Honorable Victoria A. Roberts

vs.

TWENTY SIX THOUSAND NINE  
HUNDRED SEVENTY ONE DOLLARS  
(\$26,971.00) IN U.S. CURRENCY,

Defendant *in Rem*.

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**STIPULATION AND AGREEMENT FOR ENTRY OF  
CONSENT JUDGMENT AND FINAL ORDER OF FORFEITURE**

Plaintiff, the United States of America (hereinafter the “United States”), by and through its counsel, Barbara L. McQuade, United States Attorney for the Eastern District of Michigan, and Philip A. Ross, Assistant United States Attorney, and claimants, Shen Tai Yun Wu and Hsiao Jung Wu, individually, and by and through their attorney, Daniel J. Blank, Esq., (the United States, Shen Tai Yun Wu and Hsiao Jung Wu shall be referred to collectively as “the Parties”) enter into this Stipulation and Agreement for Entry of Consent Judgment and Final Order of Forfeiture as to Defendant Twenty Six Thousand Nine Hundred Seventy One

Dollars (\$26,971.00) in U.S. Currency, (the “Defendant Currency”) under the terms and conditions hereinafter set forth:

Agents with the United States Homeland Security, Customs and Border Protection (“CBP”), and other law enforcement agencies seized the Defendant Currency from Shen Tai Yun Wu at the Detroit Metropolitan Airport in Romulus, Wayne County, Michigan on or about March 26, 2014;

Shen Tai Yun Wu and Hsiao Jung Wu filed administrative claims contesting the forfeiture with the CBP, and thereafter, CBP referred the matter to the United States Attorney’s Office for judicial forfeiture;

On September 4, 2014, the United States filed a civil judicial forfeiture complaint against the Defendant Currency pursuant to 31 U.S.C. Section 5317(c)(2) (Docket #1) (the “Complaint”);

The United States filed its Declaration of Publication of the civil judicial forfeiture action on or about March 17, 2015 (Docket #8);

Claimants Shen Tai Yun Wu and Hsiao Jung Wu filed their Claim(s) of Ownership on October 17, 2014 (Docket #'s 4 and 5) and on November 10, 2014 claimants Shen Tai Yun Wu and Hsiao Jung Wu filed an Answer to the Complaint for Forfeiture (Docket #6 );

No other verified claims of interest have been filed by any party in the civil judicial forfeiture action, and the time for filing such claims has expired;

Claimants Shen Tai Yun Wu and Hsiao Jung Wu agree to withdraw their respective claims filed in this matter;

The Parties are aware of their respective rights and wish to resolve this action without further litigation and expense;

NOW, THEREFORE, the Parties hereby stipulate and agree as follows:

1. This action is an *in rem* civil forfeiture action brought pursuant to 31 U.S.C. Section 5317(c)(2).

2. The Court has jurisdiction and venue over this action pursuant to 28 U.S.C. Sections 1345, 1355(b)(1)(A), 1391(b)(2), and 1395(b).

3. The allegations of the Complaint are well taken and the United States and its agents had reasonable cause to seize the Defendant Currency, as provided in 28 U.S.C. Section 2465. The position of the United States and its agents and employees in this action was and remains substantially justified as set forth in 28 U.S.C. Section 2412. Claimants Shen Tai Yun Wu and Hsiao Jung Wu shall not claim or seek attorneys' fees and costs in connection with this action and knowingly and voluntarily waives any and all claims they may have for attorneys' fees and costs, whether under the Civil Asset Forfeiture Reform Act of 2000, the Equal

Access to Justice Act, or any other statute, rule or regulation.

4. The Parties stipulate and agree that the following shall be **FORFEITED** to the United States pursuant to 31 U.S.C. Section 5317(c)(2): Six Thousand Nine Hundred Seventy One Dollars (\$6,971.00) of the Defendant Currency seized on or about March 26, 2014, plus any interest accrued since the seizure date on the total amount of Defendant Currency (hereinafter, the “Forfeited Currency”). Any right, title or ownership interest of claimants Shen Tai Yun Wu and Hsiao Jung Wu and their agents, successors, assigns, and any right, title or ownership interest of all other persons, in the Forfeited Currency is hereby and forever **EXTINGUISHED** and clear title and all interest in the Forfeited Currency shall **VEST** in the United States, and CBP, or its delegate, is **AUTHORIZED** to dispose of the Forfeited Currency according to law.

5. Pursuant to this Stipulation and Agreement, claimants Shen Tai Yun Wu and Hsiao Jung Wu agree to **WITHDRAW** any and all claims they have made for the Defendant Currency, including any administrative claims of interest and petitions for remission or mitigation filed with CBP.

6. The Parties stipulate and agree that the following shall be **RETURNED** to the claimants Shen Tai Yun Wu and Hsiao Jung Wu: Twenty Thousand Dollars (\$20,000.00) of the Defendant Currency seized on or about March

26, 2014. The United States agrees to release this amount, \$20,000.00, to the claimants, Shen Tai Yun Wu and Hsiao Jung Wu, less any debt owed to the United States, any agency of the United States, or any other debt which the United States is authorized to collect from the claimants Shen Tai Yun Wu and Hsiao Jung Wu, including but not limited to, any debts that the United States may collect through the Treasury Offset Program (the “Returnable Amount”). Following entry of this Stipulation and Agreement by the Court, and after the claimants’ attorney has supplied the United States with claimants’ social security numbers, EIN numbers and the Automated Clearing House (“ACH”) information for electronic deposit of the Returnable Amount, the United States Department of Treasury, or its delegate, shall disburse the Returnable Amount to the claimants Shen Tai Yun Wu and Hsiao Jung Wu through the Electronic Payment System (“EPS”) by electronic deposit into the claimants attorney’s IOLTA account.

7. Upon signing below, claimants Shen Tai Yun Wu and Hsiao Jung Wu agree to unconditionally release, remise and forever discharge the United States, and its agencies, agents, officers, and employees, past and present, and all other persons, including but not limited to, agents and employees of CBP, the United States Attorney’s Office, any individual local law enforcement officers, departments or agencies, and any other persons who participated in or assisted in any aspect of this

action and underlying investigation, from any and all actions, claims, causes of action, suits, proceedings, debts, dues, contracts, judgments, damages, and/or demands in law or equity, which the claimants Shen Tai Yun Wu and Hsiao Jung Wu, and/or their assignees, agents, officers, employees, heirs, or successors in interest had, now has or may have against the United States and its agencies, agents, officers, employees, past and present, and other persons involved in the seizure or forfeiture of the Defendant Currency, for, or on account of, the incidents or circumstances giving rise to any aspect of the seizure, investigation, or forfeiture proceedings.

8. The Parties agree that this Stipulation and Agreement applies exclusively to the asset forfeiture matters arising from the seizure of the Defendant Currency, and in no manner immunizes the claimants Shen Tai Yun Wu and Hsiao Jung Wu from criminal prosecution for any illegal conduct associated with the Defendant Currency.

9. By signing this Stipulation and Agreement, the claimants Shen Tai Yun Wu and Hsiao Jung Wu declare that they have read the terms of this Stipulation and Agreement, have consulted with their attorney, and fully understand the terms, conditions, and consequences of this Stipulation and Agreement and that they are aware of their rights in this forfeiture action. Claimants Shen Tai Yun Wu and Hsiao

Jung Wu, hereby agree to waive any attorney representation conflicts pertaining to this forfeiture matter, including its resolution, and are allowing Attorney Daniel J. Blank to represent them. Claimants Shen Tai Yun Wu and Hsiao Jung Wu warrant that Attorney Daniel J. Blank has discussed the issue regarding conflicts with them, that no conflicts exist, and that any conflicts are hereby waived if they do exist.

10. The Parties stipulate and agree that each side shall bear its own costs and attorneys' fees in this action.

11. This Stipulation and Agreement encompasses the full agreement of the Parties regarding the Defendant Currency.

12. Upon entry of this Stipulation and Agreement for Consent Judgment and Final Order of Forfeiture, this case shall be **DISMISSED WITHOUT PREJUDICE**.

WHEREFORE, the Parties stipulate and agree to entry of this Stipulation and Agreement for Consent Judgment and Final Order of Forfeiture.

**IT IS SO ORDERED:**

Dated: 4/27/2015

S/Victoria A. Roberts  
HONORABLE VICTORIA A. ROBERTS  
United States District Court Judge

Agreed as to form and substance:

BARBARA L. McQUADE  
United States Attorney

s\Philip A. Ross  
PHILIP A. ROSS  
Assistant United States Attorney  
211 W. Fort Street, Suite 2001  
Detroit, Michigan 48226  
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[VA Bar No.70269]

s\Daniel J. Blank  
DANIEL J. BLANK, ESQ.  
Attorney for Claimants  
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Bingham Farms, Michigan 48025  
(248) 645-1466  
[djblankpc@yahoo.com](mailto:djblankpc@yahoo.com)  
[P-10873]

Dated: April 20, 2015

Dated:

s\Shen Tai Yun Wu, see attached page  
SHEN TAI YUN WU  
Claimant

Dated: April 15, 2015

s\Hsiao Jung Wu, see attached page  
HSIAO JUNG WU  
Claimant

Dated: April 15, 2015

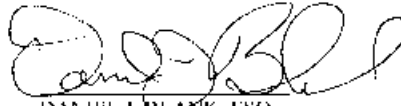
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Agreed as to form and substance:

BARBARA L. McQUADE  
United States Attorney

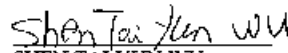
  
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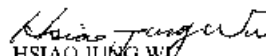
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[P-10873]

Dated: 4/20/15

Dated:

  
SHIEN TAI YUN WU  
Claimant

Dated: 4/15/15

  
HSIAO JUNG WU  
Claimant

Dated: 4-15-15

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IT IS SO ORDERED:

Dated:

HONORABLE VICTORIA A. ROBERTS  
United States District Court Judge